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Attorney Docket No. 02099/LH

APR 2 5 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant

K. FURUTA et al

Serial No.

10/080,638

Filed

: FEBRUARY 21, 2002

For

OPTICAL ELEMENT PRODUCING METHOD, BASE MATERIAL DRAWING METHOD AND BASE MATERIAL DRAWING APPARATUS

Art Unit

1725

Examiner

HEINRICH, SAMUEL M.

Customer No.:

01933

<u>RESPONSE- 37 C.F.R. 1.111</u>

MAIL STOP AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SIR:

This is responsive to the Office Action mailed

March 28, 2006, (which was re-mailed on April 7, 2006) the term

for response to which expires on April 28, 2006.

ELECTION

Applicants hereby elect Species I, claims 87-89, methods of producing an optical element with electron beam (EB) energy amount control, for further prosecution on the merits, without traverse.

It is respectfully requested that prosecution on the merits now proceed on the basis of the election set forth above.

CERTIFICATE OF FACSIMILE TRANSMISSION TO NO. 1-571-273-8300

TOTAL PAGES: 2 I hereby certify that this paper is being facsimile transmitted to the Commissioner for Patents, on the date noted below.

Nalini P. Sabadeo

Dated: April 25, 2006

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently hurcwith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by credit card payment, authorization to charge the extension fee, or any other fee required in connection with this Paper to Account No. 06-1378.

It is respectfully submitted that this submission is fully responsive to the outstanding Office Action.

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If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

April 25, 2006

Leonard Holtz, Esq. Reg. No. 22,974

FRISHAUF HOLTZ GOODMAN & CHICK, P.C. 220 FIFTH AVENUE
NEW YORK, N.Y. 10001-7708
Tel. No. (212) 319-4900
Fax No. (212) 319-5101
LH:nps